

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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COMMISSIONS IMPORT EXPORT S.A., :
Plaintiff, :
-against- :
THE REPUBLIC OF THE CONGO AND CAISSE : No. 11 Civ. 6176 (JFK)
CONGOLAISE D'AMORTISSEMENT, :
Defendants. :
: :
-----X

DECLARATION OF JESSE SHERRETT

Pursuant to 28 U.S.C. § 1746, Jesse Sherrett hereby declares as follows:

1. I am an attorney associated with the law firm of Cleary Gottlieb Steen & Hamilton LLP, counsel to defendants the Republic of Congo and Caisse Congolaise D'Amortissement ("Defendants") in the above-captioned action, and am a member of the Bar of the State of New York.
2. I submit this Declaration in support of Defendants' Reply Memorandum of Law in Further Support of their Motion to Dismiss or, in the Alternative, Transfer.
3. Annexed hereto as Exhibits A to C are true and correct copies of the following documents:

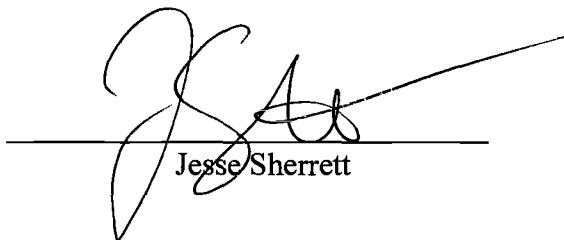
- A. The Report and Recommendation issued on June 17, 2002 by United States Magistrate Judge Henry Pitman in FG Hemisphere Assoc., L.L.C. v. Republique du Congo, No. 01 Civ. 8700 (SAS) (S.D.N.Y. 2002);

B. The Order entered on July 17, 2002 by Shira A. Scheindlin, United States District Judge, in FG Hemisphere Assoc., L.L.C. v. Republique du Congo, No. 01 Civ. 8700 (SAS) (S.D.N.Y. 2002); and

C. The Credit Facility Agreement referenced in Nat'l Union Fire Ins. Co. of Pittsburgh, Pa. v. People's Republic of the Congo, 729 F. Supp. 936, 938 (S.D.N.Y. 1989).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 29, 2012, in New York, New York.



Jesse Sherrett

A handwritten signature in black ink, appearing to read "JS", is written over a horizontal line. Below the line, the name "Jesse Sherrett" is printed in a standard font.